

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of Public
Hearing

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on November 16, 2005
and the last publication having been made
on November 23, 2005
Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of eight
consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 23 day of November
in the year of 2005, before me, a Notary
Public, personally appeared

Terry Carr,

known or identified to me to be the person
whose name subscribed to the within
instrument, and being by me first duly
sworn, declared that the statements there-
in are true, and acknowledged to me that
she executed the same.

Crystal L. Lister
Notary Public of Idaho
Residing at 1032 E. 1100 N., Shelley, ID
My commission expires March 8, 2011

NOTICE OF PUBLIC HEARING IN THE MATTER OF THE PROPOSED CREATION OF A WATER DISTRICT IN THE MUD LAKE AREA IN ADMINISTRATIVE BASINS 31 AND 32.

The Director of the Idaho Department of Water Resources ("Director") is authorized to divide the state into water districts for the purpose of distributing water among appropriators under the laws of the State of Idaho. The authority to create water districts applies to those streams or other water sources, including ground water, for which the priorities of appropriation have been adjudicated by court decree. During a water rights adjudication, Section 42-1417, Idaho Code, authorizes the district court to approve interim administration of the water rights by the Director if reasonably necessary to protect senior water rights. The district court may permit the distribution of water pursuant to chapter 6, title 42, Idaho Code, in accordance with partial decrees entered by the court, or in accordance with a Director's Report as modified by the court's order.

On July 21, 2005, the Snake River Basin Adjudication ("SRBA") District Court issued an order authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Reports and the partial decrees that have superseded the Director's Reports in Administrative Basins 31 and 32. The Director proposes to create a permanent water district within portions of Administrative Basins 31 and 32 overlying the Eastern Snake Plain Aquifer ("ESPA") as shown in the map below, and hereafter referred to as the "Mud Lake Area Water District," or "Water District No. 110."

NOTICE IS HEREBY GIVEN, pursuant to Section 42-604, Idaho Code, that the Director of the Department of Water Resources will conduct a public hearing regarding the proposed creation of the water district as follows:

PUBLIC HEARING FOR PROPOSED
WATER DISTRICT:
1:00 PM, Monday, December 5, 2005
West Jefferson High School
Administration Learning Center,
1256 E 1500 N, Terreton, Idaho.

Information and testimony presented at the hearing on December 5th will create a record upon which the Director will rely to determine whether formation of a water district is appropriate, and, if so, how the district should be formed. It is important that holders of water rights understand and participate in the hearing. The Director will serve as the hearing officer.

Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the creation of the proposed district. Written comments may be submitted to the Director at the hearing or at any time prior to the close of the written comment period set for December 15, 2005. Written comments not presented at the hearing should be mailed to the Director, Idaho Department of Water Resources, P.O. Box 83720, Boise, Idaho, 83720-0098.

The Director proposes that all water rights with points of diversion located within the boundaries of the proposed district be included in the district, except those used solely for domestic and/or stock water purposes as defined in Section 42-111, Idaho Code. Permitted and licensed rights not decreed in the SRBA and/or not included in SRBA Director's reports are subject to inclusion within the proposed water district unless used solely for domestic and/or stock water purposes. This notice of hearing has been sent to all water right holders of record in accordance with these criteria.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Should you require special accommodations in order to attend, participate in, or understand the hearing, please contact the Department of Water Resources at least 10 days prior to the hearing. Questions concerning this notice may be directed to the Department's hotline at (800) 451-4129, the Department's regional office in Idaho Falls at (208) 525-7161 or the state office in Boise at (208) 287-4958. Karl J. Dreher, Director

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